

THE LEGISLATIVE ASSEMBLY.

Seventy-fifth Day.

MONDAY, AUG. 27.

The House met at 10 o'clock a. m., the President, Hon. W. R. Castle, in the chair. Opened with prayer by the chaplain, Rev. E. S. Timoteo. Minutes read and confirmed.

A NEW MEMBER.

Noble Smith presented the certificate of election of Hon. W. C. Wilder, as a Noble for the Island of Oahu.

Mr. Wilder was conducted to his place by the Sergeant-at-Arms, and his credentials referred to the Judiciary Committee and reported correct.

Nobles Smith and Richardson and Rep. Naone were appointed to wait upon the Chief Justice and request his attendance. The committee on the bill to amend the Judiciary Act, introduced by Rep. McCully, who administered the oath of office to Noble W. C. Wilder.

PETITION.

Rep. Dowsett presented a petition from persons residing in the vicinity of the Chinese Theatre, praying (1) that no further license be granted to that institution and (2) that the establishment be removed if possible. Referred to a special committee consisting of Reps. Dowsett, Maguire and A. S. Wilcox, Nobles Waterhouse and Young.

REPORTS OF COMMITTEES.

Rep. F. Brown reported the Honolulu Fire Department bill. Noble Townsend read the report of the Education Committee on the petition of Mr. J. M. Herring. Committee find questions of law and equity involved in the subject matter of the petition, and recommended that it be referred to the Judiciary Committee. Adopted.

The same Noble read the Education Committee's report on the petition, presented 6th inst., for the removal of the President and Secretary of the Board of Education. Charges against the gentlemen referred to were found to be of so serious a character that the committee cited a large number of the petitioners before them. The first man called hastened to explain that Mr. Geo. Glendon induced him to sign the petition with the understanding that it related to the improvement of a street, and summed up his testimony with, "Before your honor and before Almighty God I declare that I do not wish these things done at all. Please erase my name from the petition." The second man called said he signed the petition when his prayer was for a street from Niuhelewa to Wailuakio. He was also induced by Mr. Glendon to sign. The next man found his name signed to the petition in two places, on different pages. Signed the petition knowingly on the assurance of Mr. Glendon that it was all right. As to his second signature, he says it was attached to a petition relating to a doctor. Number four recognizes his signature but says he did not sign this petition. He signed a petition to allow Meekap and Kealoali to doctor lepers. It appears from the testimony of the above and other witnesses that the method of getting signatures was to take ships around to the Fish Market and to other places where the men were at work and induce them to sign with the understanding that the paper was to be attached to a petition later on. The character of the hypothetical petition varied to suit the minds of the signers. Mr. Glendon's testimony was diametrically opposed to that of every witness who testified on any of the same matters. Of the 116 signers of the petition, committee find but two who acknowledge to having signed knowingly. One of them says he signed on the direct and personal assurance of Mr. Glendon that it was all right and that the charges were true; the other signed after a consultation with the first. Recommend that the petition be laid on the table. The report was signed by H. S. Townsend, A. P. Paeahoale, H. W. H. Daniels, E. Helekunili, W. H. Rice, and adopted.

Rep. Paeahoale read in Hawaiian a report of the special committee appointed June 7th to visit Molokai.

Interpreter Wilcox read report of the same committee, in English.

The reports are similar though not identical. Accompanying the English report is a draft of a new bill, relating to Kokua, which was read a first time.

The reports are signed, A. P. Paeahoale, J. Richardson, W. A. Kinney, W. H. Daniels, E. Helekunili, F. Gray.

Ordered to be published in two native papers and 400 copies to be printed in pamphlet form.

Rep. Rice reported two bills engrossed. Noble Dole presented a report of the Public Lands Committee on the bill to amend the homestead Act, recommending amendments, and with them that the bill pass. Laid on the table to be considered with the bill.

Noble Smith read the report of the special committee to whom were referred, 18th inst., the amended amendment to the Constitution, submitted by the anti-Asiatic Committee, on the 7th inst. Committee recommended a further amendment. The doubly amended amendment was referred to the Printing Committee, with instructions to have it printed by Tuesday morning.

RESOLUTION.

Rep. Kamaoia moved that the Attorney-General be instructed to take proceedings against Mr. Glendon for sending a petition containing malicious statements to the House and for the report of the Education Committee on said petition be referred to His Excellency for his guidance in the matter.

Noble Townsend said he would have to vote against the resolution. Mr. Glendon undoubtedly deserves punishment for his action, but we cannot afford to be vindictive. Aside from this matter Messrs. Bishop and Smith have information which they could use to put him in prison, yet they have been too magnanimous to push the matter. Even if we do not pass the resolution they or the Attorney-General can prosecute the case if they deem it advisable to do so. This is not so important a matter as to require any binding action on the part of this House. He moved that the resolution be laid on the table. Carried.

QUESTIONS TO MINISTER.

Rep. Naone asked the Minister of Interior, (1) if it is true that Mr. Gribble had not filed his tender for the grading of Alakea and Halekua streets when the other tenders were opened, (2) if it is true that the tender was awarded to Mr. Harrison and afterwards withdrawn and given to Mr. Gribble, (3) what is the reason the contract was given to Mr. Gribble if his tender was not in at the advertised time?

LEAVE OF ABSENCE.

Noble Townsend asked and obtained leave of absence for the remainder of the week.

Noon recess, one hour.

Afternoon.

Re-assembled at 1 o'clock.

REPORT OF COMMITTEE.

Rep. C. Brown read a report of the Judiciary Committee on bill No. 126, relating to tax appeals, referred to them, 22d inst., submitting amendments with which they recommended that the bill pass. Laid on the table to be considered with the bill.

ORDER OF THE DAY.

Laborers' License.—Consideration of the Laborers' License bill, submitted, 7th inst., by the Special Committee appointed, June 19th, on the Anti-Asiatic Union petition and other matters relating to Chinese.

Rep. C. Brown moved the bill be indefinitely postponed.

Noble Smith moved it be taken up and considered with amendments proposed by

the minority report of the Special Committee, submitted 25th inst.

Indefinitely postponed on the following division:

Ayes—Green, Ashford, Wilder, Young, Nottley, Wall, G. N. Wilcox, Kalaokua, Naone, Kaula, C. Brown, Deacon, Kauhane, Kamaoia, Paris, Nawahine, Daniels, Helekunili, Gay, Paeahoale—29.

Noes—Thurston, Smith, Waterhouse, Wright, Townsend, Bailey, Richardson, Dole, Hustace, Dowsett, Jr., F. Brown, Kinney, Maguire, Horner, Kawaiui, A. S. Wilcox—22.

Taxes—Third reading of the bill to amend internal tax laws. (The proposed amendment was printed in full in the P. C. A. report of proceedings of the 24th inst.)

Minister Green moved to amend by inserting the word "agent" before "trustee." Carried.

The bill, so amended, passed.

Traveling Agents—Third reading of the bill relating to traveling agents. Passed.

Spiruous Liquors.—Third reading of the bill to better prevent illicit traffic in spirituous liquors. Passed.

Suits with Government—Third reading (fourth time) of the bill relating to the bringing of suits by or against the Government. Passed.

Noble Smith moved to bury this bill out of sight, he would move "reconsideration." The motion was put and lost.

Fish Protection—Third reading of the fish protection bill.

Rep. Nakaleka moved indefinite postponement. The motion was lost on the following division:

Ayes—Waterhouse, Luhiau, Nottley, Richardson, Kalaokua, Naone, Kaula, Kamaoia, Nawahine, Daniels, Helekunili, Kawaiui, Rice, Gay, Nakaleka, Paeahoale—19.

Noes—Thurston, Ashford, Wilder, Young, Smith, Wright, Wall, Townsend, Hitchcock, Bailey, G. N. Wilcox, Dole, Hustace, Dowsett, Jr., C. Brown, F. Brown, Deacon, Maguire, Kauhane, Paris, Horner, A. S. Wilcox—22.

The bill passed.

Alcohol—Third reading of the bill for the importation of alcohol for medical, etc., purposes. Passed.

Noble Wight moved indefinite postponement. Lost.

The bill passed.

Homestead—Second reading of the bill, introduced by Minister Thurston, to amend the Homestead Act. Passed, with amendments, to be read a third time on Tuesday.

Civil Service—Reconsideration, moved, 24th inst., by Noble Makee, of the indefinite postponement vote on the Civil Service Reform bill, introduced the previous day by Noble Townsend. Lost.

RESOLUTION.

Noble Townsend moved:

WHEREAS, It is desirable that the country should be possessed of fuller statistics regarding all questions of social and economical importance than have yet been obtainable, and it is the province of the national census to furnish such information;

And, whereas, there is no specific direction in any of our statutes authorizing or directing the furnishing of such information, and the next census will be taken in December, 1899;

Therefore be it resolved that a Commission, consisting of three members of this House be appointed by the President to examine into the subject of the census and report to the Legislature of 1899 such changes in the present system and laws as they deem desirable. Adopted.

Recess at 3:52 to 7 o'clock.

Evening.

Re-assembled at 7 o'clock, the Hon. J. Kauhane, Vice-President, in the chair.

THE APPROPRIATION BILL.

Consideration of the Appropriation Bill in Committee of the Whole, Noble Waterhouse in the chair.

The following items passed:

Circuit Judge, Maui, \$4,000, traveling expenses, \$200; Circuit Judge, Hilo and Kau, \$3,000, traveling expenses, \$200; Circuit Judge, Kohala and Kona, \$3,000, traveling expenses, \$200; Circuit Judge, Kaula, \$3,000, traveling expenses, \$200; Clerk, 24 Judicial Circuit, \$300; Clerk, 3d Judicial Circuit, \$300; Clerk, 4th Judicial Circuit, \$300.

Running expenses Honolulu Electric Light, \$21,000.

Inspector of Immigration, \$4,800.

Inspector Ashford moved, with a view to referring the matter to a committee for investigation, return by Wong Kim of opium, destroyed in the burning of the old Station House, \$700.

Minister Thurston moved the committee recommend the house to refer the matter to the Judiciary Committee.

Rep. C. Brown moved the house be recommended to lay the item on the table. Carried.

Minister Ashford moved to insert an item. Sundry expenses in aid in carrying out the Chinese Restriction Act, \$2,000. Carried.

Building and repairs of school houses, \$20,000 inserted in Section 1 and \$25,000 in Section 3, total \$45,000.

Normal department in connection with Fort Street school, \$2,250.

Likelihood Funeral Claims, \$10,772 71, inserted in Section 3.

Governors, Governors' Clerks and incidentals of Governors' offices to August 23, 1888, \$5,352 the Committee rose. The House resumed and the report of the Committee of the Whole was accepted, except the item, salary Circuit Judge of Maui, which was referred back.

Adjourned at 9:55 to 10 o'clock Tuesday morning.

Seventy-Sixth Day.

TUESDAY, AUG. 28.

The House met at 10 o'clock, the President, Hon. W. R. Castle, in the chair. Minutes read and confirmed.

REPORTS OF COMMITTEES.

Noble Hitchcock presented the report of the Committee on the two floor bill, recommending that the bill do pass. Accepted to be considered with the bill.

Rep. F. Brown reported the Constitution Amendment bill printed.

NOTICE OF NEW BILL.

Minister Green gave notice of a bill to amend section 21 of the Tax Laws of 1882 and 1886.

RECONSIDERATION.

Noble Smith moved that the matter of the claim of Wong Kim, laid on the table last evening, be taken from the table for further consideration. Carried.

ORDER OF THE DAY.

Election Law.—Consideration of the election bill in Committee of the Whole, Rep. Kawaiui in the chair.

Sections 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98 and 99 passed, some of them with amendments.

Committee rose at 12:05, the House resumed and took recess to 2:15.

Afternoon.

Re-assembled at 2:15. A quorum was obtained at 2:33.

COMMITTEES RE-ORGANIZED.

Owing to the departure of Nobles Baldwin and Foster and Rep. Kinney to the Coast, the following changes in Committees were announced by the President:

Sanitary Committee—Nobles Dole, Nottley and Wilder, Reps. Daniels and Kauhane.

Judiciary—Rep. Paeahoale in place of Rep. Kinney.

Finance—Noble Smith instead of Noble Baldwin.

Foreign Affairs—Rep. Deacon in place of Noble Baldwin.

ORDER OF THE DAY.

Homesteads.—Third reading of the bill to amend the homestead Act. Passed.

Election Bill.—The Election bill was taken up in Committee of the Whole, Rep. Kawaiui in the chair.

Section 100 was referred to a select committee.

Sections 101, 102 and 103 passed.

Noble Smith moved to insert a new section relating to duties of inspectors of election. Carried.

Schedules B and C were struck out.

The remaining schedules were amended and passed.

The Clerk was directed to renumber sections and schedules where necessary.

The Committee rose at 4:33.

The House resumed, when the Committee of the Whole reported.

Noble Smith moved to amend the report by referring sections 88, 89 and 100 to a special committee. Carried; and a committee appointed consisting of the Attorney-General, Nobles Smith, Waterhouse and Richardson and Rep. Kauhane.

Adjourned at sharp 5 to 10 o'clock Wednesday morning.

Seventy-seventh Day.

WEDNESDAY, AUG. 29.

The House met at 10 o'clock, the President, Hon. W. R. Castle, in the chair. Prayer by the Chaplain, Rev. E. S. Timoteo. Minutes read and confirmed.

REPORT OF COMMITTEE.

Rep. F. Brown reported three bills printed.

MINISTER ANSWERS QUESTIONS.

Minister Thurston read the following, in answer to Rep. Nakaleka's questions:

1. The appropriation for the encouragement of the cultivation of cinchona has been disposed of as follows:

Cinchona seed, \$108 70; Mr. Forsyth's services to February 13, 1888, \$412; \$880 70. The balance of \$1,429 30 remains in the Treasury.

2. That Mr. Forsyth has been in the employ of the Government from August 13, 1887, to July 31, 1888.

3. The salary which was agreed to be paid Mr. Forsyth was \$200 a month, he paying his own traveling and other expenses.

4. The Government has not given any U. S. for Mr. Forsyth's salary. Through inadvertence he did not draw the salary due him between the 13th of February and the end of March. Since the lapse of the period, and consequent lapse of the unexpended balance of appropriation, there has, of course, been no payment to Mr. Forsyth. He has received several bills to the Government on the basis above stated, up to and including the 31st of July, which I have approved, and which I have told him would be paid upon the passage of the appropriation bill, out of any available appropriation.

5. The propositions made by Mr. Forsyth and the proposed action of the Government were stated at the time the appropriation was asked for in 1887. It was in brief as follows: Mr. Forsyth was on the ground with unquestioned evidence that he was what he represented himself to be, viz., a practical coffee and cinchona planter and cultivator, who had been employed as an expert in other countries in connection with the introduction of such industries; he proposed to the Government and his proposition was accepted, that he should make a detail examination of the different districts of the Kingdom, and report upon the suitability of the same for cinchona and coffee culture; and at the same time to disseminate information and stimulate an interest concerning the same.

The question of developing these industries and the best methods of so doing received much personal attention on the part of the Government. With regard to cinchona, investigation showed that from several causes the prices had declined to such a figure that there was little profit. But with coffee the outlook was entirely different. Statistics showed that the consumption is increasing faster than the production, and the price steadily rising. After much discussion of different plans it was decided, with the concurrence of the Cabinet, that a system on the lines of the bill which has been passed by the Government would best accomplish the object, and Mr. Forsyth was informed of the action proposed, and an outline of the proposed action was given to him with the statement that the Government would introduce a bill in accordance therewith. He has acted on that information, and has done his best to create an interest in the subject, and as a result of his efforts, in conjunction with those of the Government, I am assured by those who are willing to invest their money, that the capital will be forthcoming to place the plan proposed by the bill in operation.

As to what has been accomplished by engaging Mr. Forsyth's services, his report in the Interior Report speaks for itself, and it is saying no more than the truth to give him the credit of having overcome the well high universal indifference and opposition and created the present interest in the industry which is felt in the community.

Had it not been for the efforts of Mr. Forsyth, and the action of the Government, the subject of coffee cultivation would not have been brought before the House this session. As a result of the action of the House I hope and expect that, under the bill referred to, a thorough and well equipped coffee plantation will be inaugurated within the next few months. I propose to pay for this service out of any proper appropriation made by the Legislature, and shall propose an item for that purpose which by inadvertence has been omitted from the estimates.

NEW BILL.

Minister Green read, a first time, a bill to amend Section 21 of the tax laws of 1882 and 1886.

Rep. C. Brown moved that the bill be not referred to the Printing Committee. Carried.

ORDER OF THE DAY.

Malt liquors.—Noble Robinson moved to take from the table and place on the regular order, the bill relating to license and sale of malt liquors. Carried.

Oahu Railroad.—Second reading of the bill relating to steam railroads on the island of Oahu, submitted by the special committee, 7th inst., instead of the original bill, introduced June 7th, by Noble Castle, on the same subject, with amendments recommended by special committee, 24th inst.

Referred, with amendments, to the Printing Committee.

Taxes.—Second reading of the bill: "to amend Section 15 of Chapter XXXVII. of the session laws of 1882, approved by Chapter XLIII. of the session laws of 1882, relating to taxes," submitted by the Finance Committee, 16th inst., in place of the bill on the same subject, introduced by Rep. Kamaoia, July 6th, with report of Judiciary Committee, 27th inst., thereon.

Passed, with amendments, to be read a third time on Friday.

Fire Department.—Second reading of the bill: relating to the Fire Department of Honolulu, submitted, 23d inst., by the special committee, appointed July 16th, thereon.

Rep. C. Brown moved the bill be laid on the table. Lost.

Considered section by section.

Rep. Kamaoia moved that Section 1 be struck out.

Minister Thurston wished to hear some reason for the motion. The bill was prepared by a committee of the House, after a great deal of care and attention given to the subject, Committee had conferred with a committee of the Fire Department and the latter body had approved of the provisions and improvements set forth in the bill.

Noble Young said that the proposed change of amalgamating the offices of Fire Marshal and Survey Engineer had the approval of a large body of firemen who had

met the committee for consultation on one occasion in the hall under the bell-tower.

Noble Smith said the main point in the first section is the placing of the Department under the direction of the Minister of Interior. As, however, constituted it does not seem to have been responsible to anybody.

Section 1 passed as in the bill.

Section 2. Rep. Hustace moved to strike out the clause providing for a special election of Engineers in June, 1889. Carried.

The section, so amended, passed.

Noon recess, one hour.

Afternoon.

Re-assembled at 1 o'clock. A quorum was obtained at 1:09.

Honolulu Fire Department bill continued.

Sections 3, 4, 5, 6, 7, 8 and 9 passed as in the bill.

Section 10. Minister Thurston moved to strike out the words "and generally to exercise such powers as have been customarily exercised by the representatives of the Honolulu Fire Department." Carried.

Rep. Hustace moved to substitute for "benefit of the Fire Department," in the 10th line, the words, "faithful performance of his duty." Carried.

The section, so amended, passed.

Section 11. Minister Thurston moved to insert "and" between the words "only" and "shall," in the 7th line. Carried.

The section, so amended, passed.

Section 12. Rep. Hustace moved an amendment in line 6, instead of "the law or the Constitution of the Fire Department," the words, "law or the." Carried.

The section, as amended, passed.

Sections 13, 14, 15 and 16 passed as in the bill.

Section 17. Minister Thurston moved to strike out the words, "and give the alarm of fire until the community are aroused." Carried.

Passed, as amended.

Section 18. Rep. Hustace moved to amend line 2 by substituting "wherein are" for "on which shall be." Carried.

Rep. C. Brown moved to substitute "defined" for "designated," in lines 5 and 9. Carried.

Passed, as amended.

Section 19 passed, as in the bill.

Section 20. Rep. C. Brown thought this section rather rough.

Minister Thurston said the burning of rubbish is an intolerable nuisance in some parts of the city, and ought to be some other way of disposing of rubbish than by imposing it on one's neighbors in the form of smoke.

Further consideration of this section was deferred.

Sergeant-at-Arms—Mr. President, I beg to announce that an officer is in waiting bearing a message from His Majesty.

The President—Let him come in.

The officer entered, handed the President a sealed package, and retired.

Sections 21, 22 and 23 passed as in the bill.

Section 24. Passed, with "the Fire Marshal" inserted in the 2nd line.

Sections 25, 26, 27, 28, 29, 30, 31 and 32, passed as in the bill.

Section 33.—Rep. Hustace moved to insert "provided" in line 7, after the word "shall." Carried.

Passed, as amended.

Sections 34, 35, 36 and 37, passed as in the bill.

Section 38.—Rep. Hustace moved to amend, by striking "that may be out of the first line, inserting "Treasurer of the" at the end of the 2nd line, and "and also inform the Chief Engineer of such payment" at the end of the section. Carried.

Section 39.—Minister Thurston moved to substitute "corner of Hotel and Fort streets" for "Bell Tower of the Honolulu Fire Department."

Noble Widemann objected to the change. The location of the Bell Tower is an old and well known landmark.

Minister Thurston withdrew his amendment.

Noble Young moved to insert in the 2nd line "present site of the" before Bell Tower. Carried.

The section, so amended, passed.